

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
) 2:05-CR-131-A
)
v.)
)
WILLIE JAMES BOSWELL)

PRETRIAL CONFERENCE ORDER

Appearing at the initial pretrial conference on August 8, 2005, before the undersigned Magistrate Judge, were Benjamin Pool, defense counsel, and Assistant United States Attorney Clark Morris, government counsel. After due consideration of representations of counsel and other relevant matters, it is **ORDERED** as follows:

1. **Jury selection** is set for **December 5, 2005**. The trial of this case is set for the **trial term commencing on December 5, 2005**, before Senior United States District Judge W. Harold Albritton and is expected to last three trial days.

2. These motions, all filed on August 3, 2005, are pending:

- *Motion to Suppress Evidence Seized From the Defendant or His Vehicle and any Statements Made by Defendant in Connection Therewith* (Doc. 32);
- *Motion for Order Requiring the Government to Reveal the Identity of any Confidential Sources of Informants* (Doc. 33);
- *Motion to Require Prosecution to Reveal any Agreement Entered into Between the Government and any Prosecution Witness* (Doc. 34);
- *Defendant Willie Boswell's Motion Requesting Disclosure of Demonstrative Evidence* (Doc. 35);
- Motion for Severance (Doc. 36)..

The only motion which requires an evidentiary hearing, Defendant's suppression motion, has

been scheduled for hearing on September 27, 2005.

3. Proposed **voir dire questions** shall be filed on or before **November 28, 2005**. Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All **motions in limine** shall be filed on or before **November 28, 2005**. Motions in limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. **Proposed jury instructions** shall be filed on or before **November 28, 2005**.

6. The last day on which the court will entertain a **plea pursuant to Rule 11(c) (1)(A) or (C)** plea is **November 28, 2005**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on December 5, 2005. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on December 5, 2005, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 8th day of August, 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE